

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

2006 MAY -9 P 4: 22

THOMAS P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

AUTO-OWNERS INSURANCE  
COMPANY, a mutual insurance  
company incorporated in the  
State of Michigan,

Plaintiff,

v.

JACK J. RUSCH, an individual; and  
BARBOUR COUNTY HISTORICAL  
PRESERVATION AUTHORITY, a  
corporation;

Defendants.

CIVIL ACTION NO.: 2:06-cv-123-MHT

**REQUEST FOR CLERK'S ENTRY OF DEFAULT OF  
DEFENDANT, JACK J. RUSCH**

**COMES NOW**, Plaintiff, Auto-Owners Insurance, and requests the Clerk to enter the default of Defendant, Jack J. Rusch on the grounds that Defendant, Jack J. Rusch, was personally served with the summons and complaint for declaratory relief and judgment on April 12, 2006, and more than twenty (20) days have passed since service of the summons and complaint for declaratory relief and judgment, and Defendant, Jack J. Rusch, has failed to plead or otherwise defend as provided by the *Federal Rules of Civil Procedure*. This request is made pursuant to Rule 55(a) of the *Federal Rules of Civil Procedure* and is supported by the affidavit of Joel H. Pearson, one of the attorneys for Plaintiff, which is attached hereto as Exhibit "A".

Dated this the 9<sup>th</sup> day of May, 2006.

  
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ROGER S. MORROW (MOR032)  
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JOEL H. PEARSON (PEA019)  
Attorneys for Plaintiff  
Auto-Owners Insurance Company

OF COUNSEL:

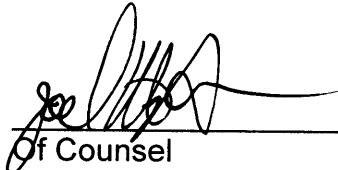
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**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing document upon the following by placing a copy of same in the United States mail, first class postage prepaid on this the 9<sup>th</sup> day of May, 2006.

Hon. Walter Calton  
Calton & Rutland, LLC  
P.O. Box 696  
Eufaula, Alabama 36027

Mr. Jack J. Rusch  
462 County Road 75  
Eufaula, Alabama 36027-6409

  
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Of Counsel